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ICC, Park and Planning face opposition to proposed trail plan

Civic association members say they were not notified about change to environmental project

by Mimi Liu | Staff Writer

Lake Frank, a man-made lake in Derwood, is the hotbed for a year-long dispute over environmental preservation and a countywide park trails system.

Members of the Manor Lake Civic Association in Rockville said they were furious to discover that state and county officials were planning to build a paved path behind their properties without directly informing members of the community.

Maryland-National Park and Planning Commission project manager Tricia McManus said several notices of public meetings were published in area newspapers and on the Park and Planning Web site, and added that the proposed trail behind the neighbors' homes "is buffered by a wooded berm for the majority of that trail."

Additionally, members of the community said they were angry to learn that an environmental plan that they had once proposed and had been promised to them has temporarily been taken off the table to make room for the trail project.

Manor Lake resident Patty Kane said the plans proposed by the Park and Planning Commission would threaten the natural scenery and stability of the area.

"It's not just the people who are on the streets closest to the trail," Kane said. "Our whole community is concerned about this. We all have a part in this. So much of us have a part in that park."

In 1998, the Park and Planning Commission developed the Upper Rock Creek Corridor Plan, a plan to connect 250 miles of paved and unpaved trails throughout the county.

As part of that plan, Park and Planning drafted the Rock Creek Regional Park Master Plan in 2000, which had allowed for a connector trail between Lake Needwood in Rock Creek Regional Park, where the Rock Creek Hiker-Biker trail begins, and Lake Frank to the south.

In the master plan, the connector trail was placed at a location that would have allowed for a path to connect to the hiker-biker trail in the spillway near Lake Frank.

Kane said the master plan also called for the removal of two abandoned parking lots and the addition of trees and plants to the area, which the Lake Manor Civic Association and other surrounding communities had supported.

"Our community had favored removing less impervious pavement," Kane said. "We felt it was more green, and provided more benefits to the environment."

The Lake Frank trail was also part of the Intercounty Connector's list of Environmental Stewardship and Compensatory Mitigation projects. Though the ICC will not run directly through Lake Frank, the construction of the east-west connector highway does destroy nearby trees and other environmental features. In order to compensate for those destroyed areas, ICC officials came up with a list of areas that would need environmental restoration to its surroundings.

The original plan to remove the two paved parking lots from Lake Frank was listed in the ICC's 2006 Record of Decision. According to that document, the asphalt roads and parking lots around the lake would be removed (approximately 6.87 acres) and replaced with an 8- to 10-foot-wide asphalt trail.

The document also states that "Turf and tree plantings would be added as a buffer."

But in 2008, Park and Planning, with approval from the Maryland State Highway Administration, created a substitution in the master plan. Instead of removing pavement from the two parking lots, more pavement in the form of the trail was added to the Lake Frank area. The substitution also changed the placement of the connector trail, which specified a paved trail to be built behind Manor Lake residences.

The Manor Lake Civic Association had not been aware that a paved path was going to be built behind their homes until late February 2009 when neighbors noticed pink and blue survey ribbons on the trees along the trail paths.

Kane formed the Lake Frank Trail Committee and became its president. The committee members studied the area around Lake Frank and searched for alternative routes where a connector trail could be built.

In June 2009, the Manor Lake Civic Association wrote letters to Councilman Marc Elrich (D-At large) of Takoma Park seeking his help with the issue.

"Councilmember Elrich wasn't opposed to the idea of a connector trail," said legislative aide Debbie Spielberg, "but he was very concerned that the process of community involvement was missing."

Spielberg said several letter correspondences were exchanged between Elrich's office and Park and Planning. Late last year, the civic association met with Park and Planning officials in an attempt to work out a compromise.

Kane and the community members wanted the connector trail to be placed along the spillway, but Park and Planning officials cited concerns over dam safety and stormwater surges as reasons for not building there. Kane and the community members made several other suggestions, but those alternatives were also scrapped by officials.

"The onus of the burden was placed unfairly on us," Kane said.

McManus said the plan would have gone to the county Planning Board for approval and would have also received reviews and approvals through the State Highway Administration and other government interagency involved.

But McManus noted that there is "nothing ironclad about a master plan; it's a concept" and that Park and Planning can make alterations to master plans.

McManus said Park and Planning is only required at a minimum to inform civic associations about alterations to master plans. She said announcements about the substitution and public hearings concerning the substitution were printed in local newspapers and were publicized on the Park and Planning Web site.

McManus said notices were also mailed out to civic associations that belonged to the Upper Rock Creek Trail Corridor community notification group. The Manor Lake Civic Association was part of that mailing group, but an "oversight" resulted in that particular civic association not receiving notice of the substituted plan," she said.

"The oversight wasn't intentional, it was a mistake," McManus said. "Some associations got the notices, and some did not."

On March 11, about 40-50 people concerned with the Lake Frank Trail issue showed up at Redland Middle School in Derwood to discuss the projects. In an act of solidarity, members of the Manor Lake Civic Association showed up wearing red shirts.

Intercounty Connector and Park and Planning officials attended, but seemed unprepared for angry outbursts from residents.

Questions were first directed to McManus, who emphasized that "this project was always intended to provide for a trail between the major Rock Creek corridor up to Olney. This had always been a trail project since the beginning."

McManus said the idea for a connector trail behind the neighbors' homes was suggested by "a general member of the community." When residents demanded to know the name of the person and the community he or she came from, ICC and Park and Planning officials said they did not remember.

State Sen. Mike Lenett (D-Dist. 19) of Silver Spring spoke on behalf of the Manor Lake Civic Association at the meeting.

"This whole community has been very active on this issue," Lenett said. "They are being reasonable in their objectives by asking questions about how it was done, where it was done, the input, and the alternatives that were proposed."

John Collich, treasurer of the Manor Lake Civic Association, said the community has "no problem with the trails, only the placement of the trails."

"The ICC has affected sensitive areas in our communities," Collich said. "The environmental mitigation that was promised to us was supposed to have been a compensation for any [environmental] damages done to those areas. We're angry that we had been promised something, and now we have nothing."

To remove parking lots and cover them with green space would cost approximately \$1.5 million, which is also the approximate cost of building the trail, ICC spokeswoman Fran Counihan said at the meeting.